

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

HALEE CAMPBELL,

Plaintiff,

Civil Action No. 17-CV-12639

vs.

HON. BERNARD A. FRIEDMAN

WASHTENAW COUNTY, et al.,

Defendants.

/

**OPINION AND ORDER DENYING DEFENDANT
KUIZON'S APPLICATION FOR COUNSEL**

This matter is before the Court on defendant Percival Kuizon's "application for appointment of counsel" [docket entry 10], which the Court will treat as a motion to appoint counsel. Pursuant to E.D. Mich. LR 7.1(f)(2), the Court shall decide this motion without a hearing.

The Sixth Circuit has recently articulated the standard that applies to defendant's motion:

Appointment of counsel in a civil case is not a constitutional right but a privilege that is justified only by exceptional circumstances. When evaluating whether appointment of counsel is warranted, courts generally examine the nature of the case, the plaintiff's ability to prosecute the case in a pro se capacity, and the complexity of the factual and legal issues involved.

Shavers v. Bergh, 516 F. App'x 568, 571 (6th Cir. 2013) (quotation marks and citations omitted). In *Shavers*, the Sixth Circuit found that the district court did not abuse its discretion when it denied the plaintiff's request for legal representation. *Id.* The court reasoned that the factual and legal issues were not complex and the plaintiff was able to handle his case. *Id.*

The same is true here: the issues are straightforward and non-complex, and Kuizon fails to show exceptional circumstances that justify appointing counsel. He argues that he cannot afford an attorney. But financial hardship alone is not an exceptional circumstance.

Accordingly,

IT IS ORDERED that defendant Kuizon's motion to appoint counsel is denied.

s/Bernard A. Friedman
BERNARD A. FRIEDMAN
SENIOR UNITED STATES DISTRICT JUDGE

Dated: September 12, 2017
Detroit, Michigan

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was served upon counsel of record and any unrepresented parties via the Court's ECF System to their respective email or First Class U.S Mail addresses disclosed on the Notice of Electronic filing on September 12, 2017.

s/Teresa McGovern
Case Manager Generalist